

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-cr-20201-KMW

UNITED STATES OF AMERICA,

v.

DAVID KNEZEVICH,

Defendant.

**UNOPPOSED MOTION FOR RECONSIDERATION
OF UNOPPOSED MOTION TO CONTINUE ARRAIGNMENT**

Defendant, David Knezevich (“Knezevich”), by and through his undersigned counsel, hereby files this Unopposed Motion to Reconsider the Unopposed Motion to Continue Arraignment. In support, Defendant states:

1. Knezevich’s arraignment is scheduled for December 5, 2024.
2. Knezevich’s Unopposed Motion to Continue the December 5, 2024, arraignment until December 19, 2024, was denied on December 3, 2024. This Motion seeks reconsideration of the December 3, 2024 Order denying the Unopposed Motion to Continue the December 5, 2024 arraignment, citing additional grounds and a request for a brief hearing.
3. Since the return of the original Indictment on May 15, 2024, this case has dramatically changed. Specifically, the November 13, 2024 Superseding Indictment added capital offenses against Knezevich. As a result, like in all death eligible cases, a unique protocol, specific procedures, and a defined timeline have been activated.

4. Since the Superseding Indictment, the parties have been in continual contact to address capital offense issues. All counsel met on November 21 to discuss the timing of positions and recommendations to be made by the prosecution concerning issues relating to the newly charged capital offenses.

5. While the parties had hoped to have clarity concerning the prosecution's positions and recommendations relating to capital offense issues prior to the December 5, 2024 arraignment, that has not resulted, but should be determined prior to December 19, 2024, which is why the defense is asking for the Arraignment to be rescheduled until that date.

6. Multiple significant motions, necessary to be filed prior to arraignment in a death penalty case, are being contemplated to be filed on behalf of Knezevich. However, those motions are premature until the prosecution's positions are determined, and recommendations are made to the Department of Justice in Washington, D.C.

7. Importantly, there are certain necessary ethical issues and determinations that are dependent on the prosecution decisions and recommendations that will be made prior to December 19, 2024, that need to be resolved by counsel prior to the Arraignment.

8. Knezevich understands and agrees to continue the Arraignment presently scheduled for December 5, 2024, for fourteen days, until December 19, 2024.

9. Undersigned counsel urges the court to hold a brief hearing on this Motion, via Zoom if possible, to state further grounds.

10. Pursuant to local Rule 88.10, undersigned counsel met and conferred with Assistant U.S. Attorney, Lacey Monk, who does not object to the granting of this Motion.

WHEREFORE, Knezevich respectfully requests that this Unopposed Motion for Reconsideration be granted, and that the Arraignment currently scheduled for December 5, 2024, be postponed fourteen (14) days, until December 19, 2024.

Dated: December 4, 2024

Respectfully Submitted,

By: s/ Jayne C. Weintraub, Esq.

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